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JC846 U.S. PTO

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Barcode

CHOATE, HALL & STEWART

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

EXCHANGE PLACE

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BOX PATENT APPLICATION
ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, DC 20231

Express Mail No.: EL67475009US

Attorney Docket No.: 0264724-0031

Date Filed: June 27, 2001

UTILITY PATENT APPLICATION TRANSMITTAL

(for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Dear Sir:

Please find enclosed a patent application and papers as follows for:

Inventor(s):

| Given Name (first and middle) | Family Name or Surname | Residence (City and State or Foreign Country) |
|-------------------------------|------------------------|---|
| Barry S. | Fogel | 58 Kirkland Street, #3 Cambridge, MA 02138 |

Title of the Invention: METHODS OF TREATING TARDIVE DYSKINESIA AND OTHER MOVEMENT DISORDERS

A) APPLICATION ELEMENTS:

- 1) **Fee Transmittal Form** (original and duplicate submitted for fee processing)
- 2) **Applicant Claims Small Entity Status** (see 37 CFR 1.27)
 - a) _____ Statement Verifying Small Entity Status (optional)

Express Mail No.: EL67475009US
Date Filed: June 27, 2001

Page 1 of 5

3285896_1.DOC

3) **Specification**

TOTAL PAGES: **62 PAGES TOTAL**
(50 p. specification; 11 pp. claims; 1 p. abstract)

- Descriptive Title of the Invention
- Cross References to Related Applications (if applicable)
- Statement Regarding Federally Sponsored R & D (if applicable)
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Summary of the Invention
- Description of the Drawing (if filed)
- Detailed Description of the Invention
- Claim(s)
- Abstract of the Invention

4) **Drawing(s)** (35 U.S.C. § 113)

TOTAL SHEETS: _____

- a) Formal Drawings (if checked)

5) **Oath or Declaration**

TOTAL PAGES: 3

- a) Newly Executed (original or copy)
- b) Copy from a prior application (37 C.F.R. § 1.63(d))-for continuation/divisional application
 - i) Deletion of inventor(s): Signed Statement deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).
- c) Unexecuted

6) **Application Data Sheet.** See 37 CFR 1.76.

7) **CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)**

8) **Nucleotide and/or Amino Acid Sequence Submission** (if applicable, all are necessary)

- a) Computer Readable Form (CRF)
- b) Specification Sequence Listing on:
 - i) CD-ROM or CR-R (2 copies); or
 - ii) Paper

c) Statements verifying identity of above copies

B) ACCOMPANYING APPLICATION PARTS:

9) **Assignment Papers** (cover sheet & document(s))

10) **37 C.F.R. § 3.73(b) Statement** (when there is an assignee)

11) **Combined Declaration and Power of Attorney**

12) **English Translation Document** (if applicable)

13) **Information Disclosure Statement (IDS)/PTO-1449**

14) **Copies of IDS Citations**

15) **Preliminary Amendment**

16) **Return Receipt Postcard (MPEP 503)** (specifically itemized)

17) **Certified Copy of Priority Document(s)** (if foreign priority is claimed)

18) **OTHER:** (if applicable, specified below)

C) FOR CONTINUING APPLICATIONS: (the appropriate box is checked, and certain information is provided below and in a preliminary amendment)

CONTINUATION

DIVISIONAL

CONTINUATION-IN-PART (CIP)

OF PRIOR APPLICATION NO: 09/193,892

FILED: NOVEMBER 18, 1998

EXAMINER: T. CRIARES

GROUP/ART UNIT: 1617

FOR CONTINUATION OR DIVISIONAL APPLICATIONS ONLY: THE ENTIRE DISCLOSURE OF THE PRIOR APPLICATION, FROM WHICH AN OATH OR DECLARATION IS SUPPLIED AS DETAILED ABOVE, IS CONSIDERED A PART OF THE DISCLOSURE OF THE ACCOMPANYING CONTINUATION OR DIVISIONAL APPLICATION AND IS HEREBY INCORPORATED BY REFERENCE.

D.) PRIORITY CLAIM(S):

This application claims the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below:

09/193,892 November 18, 1998 pending
(Application Serial No.) (filing date) (status-patented, pending, abandoned)

09/006,641 January 13, 1998 pending
(Application Serial No.) (filing date) (status-patented, pending, abandoned)

PCT Applications designating the United States:

(PCT Appl. No.) (U.S.S.N.) (status-patented, pending, abandoned)

This application claims the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

Provisional Application(s):

| Application Number | Filing Date | Status |
|--------------------|-------------|--------|
|--------------------|-------------|--------|

E) METHOD OF PAYMENT OF FILING FEES FOR THIS APPLICATION:

- Applicant claims small entity status 37 CFR 1.27
- A check is enclosed to cover the filing fees as determined on the fee transmittal enclosed herewith
- The commissioner is hereby authorized to charge filing fees or credit any overpayment to deposit account number 03-1721.

Total filing fee amount \$ 1,351.00

F) CORRESPONDENCE ADDRESS:

Customer Bar Code Label: _____



24280

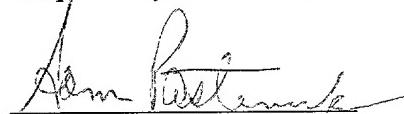
PATENT TRADEMARK OFFICE

Express Mail No.: EL674750095US
Date Filed: June 27, 2001

X Correspondence Address:

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Respectfully Submitted,



Sam Pasternack
Registration No. 29,576

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$1,351.00)

Complete if Known

| | |
|----------------------|---------------|
| Application Number | |
| Filing Date | June 27, 2001 |
| First Named Inventor | Fogel |
| Examiner Name | T. Criares |
| Group Art Unit | 1614 |
| Attorney Docket No. | 0264724-0031 |

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

| | |
|------------------------|------------------------|
| Deposit Account Number | 03-1721 |
| Deposit Account Name | Choate, Hall & Stewart |

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|---------------|---------------|------------------------|----------|
| 101 | 710 | Utility filing fee | 355.00 |
| 106 | 320 | Design filing fee | |
| 107 | 490 | Plant filing fee | |
| 108 | 710 | Reissue filing fee | |
| 114 | 150 | Provisional filing fee | |

SUBTOTAL (1) (\$355.00)

2. EXTRA CLAIM FEES

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|------------------|
| 89 | -20** = 69 | x 9.00 | = 621.00 |
| Independent Claims | 9 | - 3** = 6 | x 40.00 = 240.00 |
| Multiple Dependent | | | 135.00 = 135.00 |

Large Entity Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description |
|---------------|---------------|--|
| 103 | 18 | Claims in excess of 20 |
| 102 | 80 | Independent claims in excess of 3 |
| 104 | 270 | Multiple dependent claim, if not paid |
| 109 | 80 | ** Reissue independent claims over original patent |
| 110 | 18 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$ 996.00)

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|--|----------|
| 105 | 130 | Surcharge - late filing fee or oath | |
| 127 | 50 | Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | Non-English specification | |
| 147 | 2,520 | For filing a request for ex parte reexamination | |
| 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | Requesting publication of SIR after Examiner action | |
| 115 | 110 | Extension for reply within first month | |
| 116 | 390 | Extension for reply within second month | |
| 117 | 890 | Extension for reply within third month | |
| 118 | 1,390 | Extension for reply within fourth month | |
| 128 | 1,890 | Extension for reply within fifth month | |
| 119 | 310 | Notice of Appeal | |
| 120 | 310 | Filing a brief in support of an appeal | |
| 121 | 270 | Request for oral hearing | |
| 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | Petition to revive - unavoidable | |
| 141 | 1,240 | Petition to revive - unintentional | |
| 142 | 1,240 | Utility issue fee (or reissue) | |
| 143 | 440 | Design issue fee | |
| 144 | 600 | Plant issue fee | |
| 122 | 130 | Petitions to the Commissioner | |
| 123 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 126 | 180 | Submission of Information Disclosure Stmt | |
| 581 | 40 | Recording each patent assignment per property (times number of properties) | |
| 146 | 710 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 | 710 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 | 710 | Request for Continued Examination (RCE) | |
| 169 | 900 | Request for expedited examination of a design application | |
| Other fee (specify) _____ | | | |

*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 0)

Complete (if applicable)

| | | | | | |
|-------------------|-----------------------|-----------------------------------|--------|-----------|---------------|
| Name (Print/Type) | Sam Pasternack | Registration No. (Attorney/Agent) | 29,576 | Telephone | 617-248-5143 |
| Signature | <i>Sam Pasternack</i> | | | Date | June 27, 2001 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.